

The Public Agenda Session of the Board of Public Works was convened at 10:36 a.m. on Thursday, April 6, 2006, by Board President, Gary A. Gilot, with Mr. Carl P. Littrell and Mr. Donald E. Inks present. Also present was board Attorney Thomas Bodnar. Board of Public Works Clerk Angela Jacob presented the Board with a proposed agenda of items presented by the public and by City Staff.

AGENDA ITEMS REMOVED

Upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the following items were removed:

- Award Bid - One (1) More or Less, New Heavy Duty 16,500 Lb. Gvwr 2006 Chassis
- Award Bid - One (1) More or Less, One Ton Two Wheel Drive Pick Up Truck
- Award Bid - Two (2) More or Less, 2006 ¾ Ton Four Wheel Drive Pick Up Trucks
- Resolution No. 17-2006 – Accepting the Transfer of Real Property from the South Bend Redevelopment Commission

AGENDA ITEMS ADDED

- Agreement – Development of City Parking Lot - TRANSPO
- Agreement – Traffic Counting – MACOG
- Request to Advertise – Fire Station No. 2 – Project No. 106-002
- Amendment – Greeley & Hansen
- Award Bid –Sanitary and Water Man Relocation – Lot 3a – Blackthorn Corporate Office Park – Project No. 103-029

Board members discussed the following item(s) from that list.

- Award Quotations – Yard Lamppost Program 2006 – Project No. 106-001
Mr. Gilot stated that he would like to see the award amount in unit price instead of total price.
- Request to Advertise – Firefighters Boots/Firefighters Helmets/Firefighters Protective Clothing
Assistant Chief Rick Switalski, Fire Department, stated that this bid is for new protective clothing for firefighters. The funding amount will be reimbursed by FEMA, however the bid process must be completed by August 16, 2006.
- Agreement – Emergency Service for Generators
Assistant Chief Rick Switalski stated this Agreement is for emergency services for the eleven (11) fire stations' generators.
- Agreement- Training and Testing – Fire Department
Assistant Chief Rick Switalski stated this Agreement is used for the hiring process for the Fire Department. The Institute for Public Safety Personnel, Inc. provides testing and other services for Fire Department applicants. The Department has successfully utilized this hiring process for many years.
- Agreement – Heating & Air Conditioning Maintenance
Assistant Chief Rick Switalski stated this Agreement is for the maintenance of the Fire Department's eleven (11) stations' heating and air conditioning units.
- Agreement – City Parking Lot - TRANSPO
Mr. Shawn Peterson, Legal Department, stated this Agreement has been in the works for a long time. The Agreement will be in final form for Monday's regular meeting.
- Amendment to Agreement – Greeley & Hansen
Mr. Jack Dillon stated this Agreement is an amendment to the previous Agreement with Greeley & Hansen for the replacement of a diesel driven pump.
- Agreement – Traffic Counting - MACOG
Mr. Gilot stated that MACOG has agreed to perform traffic counts for the City of South Bend. This relieves City employees of the task.
- Safety Reports, Department of Public Works
Mr. John Machowiak, Central Services; Mr. Andy Wierzbicki, Water Works; and Mr. Jack Dillon, Environmental Services, were present and submitted their respective Safety Report for March 2006.

- Monthly Reports, Department of Public Works
Mr. Andy Wierzbicki, Water Works, and Mr. Jack Dillon, Environmental Services, presented their respective Monthly Report for March 2006. In addition to the Monthly Report, Mr. Dillon presented a Goals and Performance Measures Report for March 2006.
- Reject Proposals – Former Oliver School Site Demolition
Ms. Tonya Zozulya, Community and Economic Development, stated the combined proposals did not conform with the specifications, therefore the proposals are rejected.

OPENING OF QUOTATIONS – DEMOLITION OF FORMER SEARS REPAIR CENTER – PROJECT NO. 106-025 (GENERAL FUND)

Mr. Gilot advised that this was the date set for the receiving and opening of sealed Quotations for the above referred to project. The following Quotation was opened and read:

WARNER & SONS, INC.
29099 Old U.S. 33
Elkhart, Indiana 46615
Quotation was submitted by Mr. Mark Weaver
QUOTATION: \$99,660.00

R&R EXCAVATING, INC.
2010 Went Avenue
Mishawaka, Indiana 46545
Quotation was submitted by Mr. William Loudin
QUOTATION: \$104,500.00

RITSCHARD BROS., INC.
1204 West Sample Street
South Bend, Indiana 46619
Quotation was submitted by Ritschard Bros., Inc.
QUOTATION: \$63,129.00

B&J EXCAVATION, INC.
1104 West Donald Street
South Bend, Indiana 46613
Quotation was submitted by Mr. Darnell O’Neal
QUOTATION: \$64,900.00

Upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above Quotations were referred to the Division of Engineering for review and recommendation.

APPROVAL OF PROCESSION

Upon a motion by Mr. Gilot, seconded by Mr. Inks and carried, the following procession was approved with the understanding that participants stay on the sidewalk:

Procession	WSBL – LP Radio (South Bend Council 5001, Inc.)	From Morris Civic South on St. Joseph, West on West Jefferson, South on Main Street, East on Washington, North on Michigan to Morris Civic	April 10, 2006 - 10:30 a.m. to 12:30 p.m.	Favorable Recommendations
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PUBLIC AGENDA SESSION

APRIL 6, 2006

The Clerk was instructed to post the agenda and notify the media and other Persons who have requested notice of the meeting agenda. No other business came before the Board. The meeting adjourned at 12:00 p.m.

BOARD OF PUBLIC WORKS

s/Gary A. Gilot, President
s/Carl P. Littrell, Member
s/Donald E. Inks, Member

ATTEST:
s/Angela K. Jacob, Clerk

REGULAR MEETING

APRIL 10, 2006

The regular meeting of the Board of Public Works was convened at 9:38 a.m. on Monday, April 10, 2006, by Board President Gary A. Gilot, with Mr. Carl P. Littrell and Mr. Donald E. Inks present. Also present was Board Attorney Thomas Bodnar.

APPROVE MINUTES OF PREVIOUS MEETING

Upon a motion made by Mr. Littrell, seconded by Mr. Inks, and carried, the minutes of the public agenda session and the regular meeting of the Board held on March 23 and March 27, 2006, were approved.

OPENING OF BIDS – RAW SEWAGE PUMP DRIVE REPLACEMENT – ENVIRONMENTAL SERVICES – PROJECT NO. 106-003 (WWTP CAPITAL)

This was the date set for receiving and opening of sealed bids for the above referred to project. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bids were opened and publicly read:

HERRMAN & GOETZ, INC.

225 South Lafayette Boulevard
South Bend, Indiana 46601

Bid was signed by: Mr. Thomas Herrman
Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$904,292.00

UNDERGROUND PIPE & VALVE, INC.

1100 Prairie Avenue
South Bend, Indiana 46601

Bid was signed by: Mr. Donald Nuner

Non-Collusion Affidavit was in order
Non-Discrimination commitment form was completed
Five percent (5%) Bid Bond was submitted

BID: \$654,918.00

Upon a motion made by Mr. Littrell, seconded by Mr. Inks, and carried, the above bids were referred to the Division of Engineering and Environmental Services for review and recommendation.

OPENING OF BIDS – SALE OF CITY OWNED PROPERTY – 138 EAST DAYTON

This was the date set for receiving and opening of sealed bids for the above referred to property. The Clerk tendered proofs of publication of Notice in the South Bend Tribune and the Tri-County News, which were found to be sufficient. The following bid was opened and publicly read:

MR. PAUL READ, SR.

136 South Dayton
South Bend, Indiana 46613

BID: \$1,000.00

A check of \$100.00 was included in the Bid.

Upon a motion made by Mr. Littrell, seconded by Mr. Inks, and carried, the above bid was referred to the Legal Department for review and recommendation.

AWARD BID – SANITARY AND WATER MAIN RELOCATION – LOT 3A – BLACKTHORN CORPORATE OFFICE PARK – PROJECT NO. 103-029 (BLACKTHORN TIF)

Mr. Nick Witwer, Community and Economic Development, advised the Board that on March 27, 2006, bids were received and opened for the above referred to project. After reviewing those bids, Mr. Witwer recommends that the Board award the bid to the lowest, responsive and responsible bidder, Herrman & Goetz, Inc., in the amount of \$118,957.00. Therefore, Mr. Inks made a motion that the recommendation be accepted and the bids be awarded as outlined above, subject to a development agreement and easement. Mr. Littrell seconded the motion, which carried.

AWARD BIDS – CHEMICALS FOR WATER WORKS (WATER WORKS CHEMICAL BUDGET)

Mr. John Wilttrout, Water Works, advised the board that on March 13, 2006, bids were received and opened for the above referred to chemicals. After reviewing those bids, Mr. Wilttrout recommends that the Board award the bids to the lowest, responsive and responsible bidders, as follows:

Alexander Chemical	Chlorine	\$490.00/Ton
Alexander Chemical	Chlorine	\$ 68.40/150Lb.
Alexander Chemical	Fluorisilic Acid	\$255.00/Ton
Water Solutions Unlimited	Phosphate	\$.97/Lb.
Ulrich	Potassium Permangante	\$ 1.84/Lb.

Therefore, Mr. Inks made a motion that the recommendation be accepted and the bids be awarded as outlined above. Mr. Littrell seconded the motion, which carried.

AWARD BIDS

- THREE (3) 2006 ALL WHEEL DRIVE CARGO VANS

- TWO (2) 2006 ¾ TON TWO WHEEL DRIVE PICK UP TRUCKS

- ONE (1) 2006 OR NEWER ¾ TON EXTENDED CAB TWO WHEEL DRIVE PICK-UP TRUCK (2006 CAPITAL BUDGET)

Mr. Matt Chlebowski, Central Services, advised the board that on March 27, 2006, bids were received and opened for the above referred to vehicles. After reviewing those bids, Mr. Chlebowski recommends that the Board award the bids to the lowest, responsive and responsible bidders, as follows:

GATES CHEVY WORLD

401 South Lafayette Boulevard
South Bend, Indiana 46634

Bid	Year	Make	Model	Unit Price
Three (3) 2006 All Wheel Drive Cargo Vans	2006	Chevrolet	½ Ton AWD Van	\$20,295.00
OPTION 2	Sliding Door and Rear Panel Doors with Glass			\$106.00
	Total			\$61,203.00
Two (2) 2006 ¾ Ton Two Wheel Drive Pick Up Trucks	2006	Chevrolet	¾ Ton 2-WD Silverado	\$16,630.00
			Total	\$33,260.00
One (1) 2006 Or Newer ¾ Ton Extended Cab Two Wheel Drive Pick Up Truck	2006	Chevrolet	¾ Ton Extended Cab Silverado	\$19,025.00
Option 2	Sprayed In Bed Liner			\$325.00
	Total			\$19,350.00

Therefore, Mr. Gilot made a motion that the recommendation be accepted and the bids be awarded as outlined above. Mr. Inks seconded the motion, which carried.

AWARD QUOTATION – 2006 YARD LAMPPPOST PROGRAM (GENERAL FUND)

Mr. Gilot advised that on February 27, 2006, sealed quotations were received and opened for the above referred to project. After reviewing these quotations, Mr. Toy Villa, Engineering, recommends that the Board award the contract to the lowest, responsive and responsible bidder, Trans Tech Electric, L.P., 4601 Cleveland Road, South Bend, Indiana in the amount of \$300.00 per lamppost, with an Alternate of \$10.00 per linear foot beyond the fifty (50) foot installation. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the quotation be awarded as outlined above. Mr. Inks seconded the motion, which carried.

AWARD QUOTATION – DEMOLITION OF FORMER SEARS REPAIR CENTER – PROJECT NO. 106-025 (GENERAL FUND)

Mr. Gilot advised that on April 6, 2006, sealed quotations were received and opened for the above referred to project. After reviewing these quotations, Mr. Carl Littrell, Engineering, recommends that the Board award the contract to the lowest, responsive and responsible bidder, Ritschard Brothers, Inc., 1204 West Sample Street, South Bend, Indiana in the amount of \$63,129.00. It was noted that the Boy Scouts will cover half of this cost. Therefore, Mr. Gilot made a motion that the recommendation be accepted and the quotation be awarded as outlined above, subject to the confirmation the Boy Scouts will cover one-half of \$63,129.00 for this project. Mr. Littrell seconded the motion, which carried.

APPROVAL OF REQUEST TO REJECT BIDS – VEHICLES

- ONE (1) MORE OR LESS, 2006 FULL SIZE ONE TON EXTENDED CARGO VAN

- ONE (1) MORE OR LESS, 2006 FOUR DOOR 4X4 UTILITY VEHICLE

Mr. Matt Chlebowski, Central Services, requested permission to reject all bids for the above referred to vehicles, due to a lack of funding. Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the request to reject bids was approved.

APPROVAL OF REQUEST TO REJECT PROPOSALS – FORMER OLIVER SCHOOL SITE DEVELOPMENT

Ms. Tony Zozulya, Community and Economic Development, requested permission to reject all proposals for the above referred to project. Ms. Zozulya stated after reviewing the proposals and in consultation with other City departments, the Division of Community Development determined that while the Partners in Charity and Boschart Design Group proposal generally met the City's requirements for bidders, it failed to address a number of bid specifications and design considerations items outlined in the RFP document.

The City is not able to transfer the land to Partners in Charity for a \$1.00, which is below the minimum sale price of \$38,250.00; allocate HOME funds, and provide infrastructure support, as requested by Partners in Charity and Boschart Design Group. In addition, the developers have indicated that the development will not incorporate the Oliver School artifacts, as required by the Historic Preservation Commission's Certificate of Appropriateness. Community Development has strong concerns about the developers' ability to complete the project given limited demonstrated experience and a lack of a pro-forma. Finally, it was concluded that the proposed design of town homes is not a proper fit for the neighborhood (the site plan does not match the town home floor plan), nor does the general town home design and garage orientation of the single-family units meet the intent of the mixed-use zoning district.

Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the request to reject proposals was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS
– TWO HUNDRED FORTY-EIGHT (248) MORE OR LESS, SETS OF TURNOUT CLOTHING– TWO HUNDRED FORTY-EIGHT (248) MORE OR LESS, HELMETS
– TWO HUNDRED FORTY-EIGHT (248) MORE OR LESS, LEATHER BOOTS
(EMERGENCY MEDICAL SERVICES CAPITAL IMPROVEMENT FUND # 288)

In a letter to the Board, Chief Luther Taylor, Fire Department, requested permission to advertise for the receipt of bids for the above referred to items. Therefore, upon a motion made by Mr. Littrell, seconded by Mr. Inks and carried, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – ONE
(1) MORE OR LESS, SIX YARD FRONT END RUBBER TIRE LOADER (2006
APPROVED VEHICLE CAPITAL BUDGET)

In a letter to the Board, Mr. Matt Chlebowsky, Equipment Services, requested permission to advertise for the receipt of bids for the above referred to equipment for the Division of Wastewater. Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS/TITLE
SHEET – BACKWATER GATE REPLACEMENT – PROJECT NO. 103-077
(SEWAGE FUND)

In a letter to the Board, Mr. Toy Villa, Engineering, requested permission to advertise for the receipt of bids for the above referred to project. The Title Sheet for this project was also presented for approval. Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the Request to Advertise the Title Sheet were approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS/TITLE
SHEET – HARTER HEIGHTS STORM SEWER SEPARATION PROJECT –
PROJECT NO. 105-012A (SEWAGE FUND)

In a letter to the Board, Mr. Toy Villa, Engineering, requested permission to advertise for the receipt of bids for the above referred to project. The Title Sheet for this project was also presented for approval. Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the Request to Advertise the Title Sheet were approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – 2006 STREET MATERIALS – PROJECT NO. 106-019 (LRSA AND MVH FUND)

In a letter to the Board, Mr. Carl Littrell, Engineering, requested permission to advertise for the receipt of bids for the above referred to materials. Therefore, upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the above request was approved, subject to review of specifications by the Street Department and Engineering.

APPROVE REQUEST TO ADVERTISE FOR RECEIPT OF BIDS – SALE OF ABANDONED VEHICLES

Ms. Kathy Eli, Department of Code Enforcement, requested permission to advertise for the sale of approximately twenty-three (23) abandoned vehicles, which are being stored at Super Auto Salvage Corporation, 3300 South Main Street, South Bend, Indiana. It was noted that all vehicles have been stored more than fifteen (15) days, identification checks had been run for auto theft and the owners and lienholders notified. Upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the above request was approved.

APPROVE PROJECT COMPLETION AFFIDAVIT – CHAPIN STREET RECONSTRUCTION – BROOKS CONSTRUCTION – PROJECT NO. 105-006 (EDIT/LRSA/SEWAGE WORKS)

Mr. Gilot advised that Mr. Toy Villa, Engineering, has submitted the Project Completion Affidavit on behalf of Brooks Construction, 625 Beiger Street, Mishawaka, Indiana, for the above referred to project, indicating a final cost of \$1,584,892.63. Upon a motion made by Mr. Gilot, seconded by Mr. Littrell, and carried, the Project Completion Affidavit was approved.

APPROVAL OF CONTRACTS/AGREEMENTS/PROPOSALS/ADDENDA

The following Contracts/Agreements/Proposals/Addenda were approved as follows:

TYPE	DESCRIPTION	BUSINESS	AMOUNT	MOTION/ CARRIED
Agreement	Professional Services for Feasibility Study and Design Services – Studebaker Trunk Storm Sewer	HNTB/The Abonmarche Group	\$20,000.00 (Sewer Bond)	Gilot/Littrell
Grant Agreement	Administration of Workforce Diversity Program	Northern Indiana Workforce Investment Board	\$208,000.00	Inks/Littrell
Grant Agreement	Administration and Operational Expenses	Historic Preservation Commission	\$25,000.00	Gilot/Inks
Contract	Housing Rehabilitation	Rebuilding Together	\$80,000.00	Littrell/Inks
Agreement	Emergency Generator Services for Eleven (11) Fire Stations	Herrman & Goetz, Inc.	\$2,925.00	Gilot/Inks
Agreement	Training and Testing – Fire Department	Institute for Public Safety Personnel, Inc.	\$10,000.00	Inks/Littrell
Agreement	Heating and Air Conditioning Equipment Repair – Eleven (11) Fire Stations	Herrman & Goetz, Inc.	\$6,637.00	Littrell/Inks
Proposal	Driver Training – Police Department	Bosch Automotive	\$1,010.00	Gilot/Inks, subject to Legal Language Related to

TYPE	DESCRIPTION	BUSINESS	AMOUNT	MOTION/ CARRIED
				Insurance
Agreement	Professional Services – Survey Environmental Conditions/Draft Quote Request and Oversee Demolition	Grauvogel & Associates	\$13,575.00	Inks/Littrell
Agreement	Preventative Maintenance - Wastewater	USFilter Services and Products	\$1,108.00	Inks/Littrell
Lease Agreement	Sludge Spreading Equipment – Wastewater Treatment Plant	Ag-Chem	\$12,970.00	Gilot/Littrell
Amendment to Agreement	Professional Engineering Services – Replacement of Diesel Pump	Greeley and Hansen	\$2,500.00	Gilot/Inks
Agreement	Acquisition and Development - 100 W. South Street	TRANSPO	\$700,000.00	Gilot/Inks
Memorandum of Understanding	Traffic Counting	MACOG	\$5,000.00	Littrell/Gilot
Construction Contract	2006 Good Neighbors/Good Neighborhoods Public Works Program	Northern Construction Services Corp.	Zone 1 - \$267,705.00 Zone 2 – 243,265.00 Note: These is a Unit Price Award	Gilot/Inks

ADOPT RESOLUTION NO. 16-2006 – APPROVAL OF A FORM OF BOND ORDINANCE RECOMMENDING ITS ADOPTION TO THE COMMON COUNCIL OF THE CITY AND AUTHORIZING THE REIMBURSEMENT OF CERTAIN EXPENSES FROM BONDS AND OTHER RELATED MATTERS

Upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the following Resolution was adopted by the Board of Public Works:

RESOLUTION NO. 16-2006

RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA, REGARDING THE APPROVAL OF A FORM OF BOND ORDINANCE, RECOMMENDING ITS ADOPTION TO THE COMMON COUNCIL OF THE CITY AND AUTHORIZING THE REIMBURSEMENT OF CERTAIN EXPENSES FROM BONDS AND OTHER RELATED MATTERS

WHEREAS, the Board of Public Works (the "Board") of the City of South Bend, Indiana (the "City"), desires to proceed with the projects described at Exhibit A (collectively, the "Project") which Project will benefit the City's sewage works; and

WHEREAS, the Board desires to recommend to the Common Council of the City (the "Common Council") to approve of the issuance of sewage works revenue bonds in one (1) or more series in an aggregate principal amount not to exceed the amount specified in the ordinance presented to the Board at this meeting (the "Sewage Bond Ordinance") in order to pay for some or all of the cost of the Project, such bonds to

be on parity with outstanding sewage works revenue bonds issued by the City in 1998, 2001 and 2004; and

WHEREAS, a proposed form of the Sewage Bond Ordinance to finance the cost of the Project has been duly considered by the Board and found to be satisfactory; and

WHEREAS, the Board desires to recommend the adoption of the proposed Sewage Bond Ordinance to the Common Council for the purpose of authorizing the issuance of sewage works revenue bonds (the "Bonds") for the purpose of providing funds to pay for the cost of some or all of the Project; and

WHEREAS, certain preliminary costs in financing the Project, have been or will be incurred by or on behalf of the City prior to the issuance and delivery of the Bonds; and

WHEREAS, the City reasonably expects to reimburse such preliminary costs of the Project with proceeds of the Bonds; and

WHEREAS, the Board desires to declare the official intent of the City, pursuant to I.C. 5-1-14-6(c) and § 1.150-2 of the Treasury Regulations promulgated by the Internal Revenue Service (the "Treasury Regulations"), that said preliminary costs be reimbursed from the proceeds of such bonds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend, Indiana, as follows:

1. The Board requests that the Common Council authorize the issuance of the Bonds in an aggregate principal amount not to exceed the amount in the Sewage Bond Ordinance on the terms and conditions set forth in the Sewage Bond Ordinance which Sewage Bond Ordinance is hereby approved in the form presented to this Board at this meeting.
2. The Board hereby ratifies, approves and authorizes the filing of said Sewage Bond Ordinance with the City Clerk for presentation to the Common Council and directs the Clerk of the Board to present a copy of this Resolution to the City Clerk for presentation to the Common Council as soon as may be done.
3. The Board hereby declares the official intent of the City, pursuant to I.C. 5-1-14-6(c) and § 1.150-2 of the Treasury Regulations, that preliminary costs incurred by or on behalf of the City in financing the construction of the Project be reimbursed from the proceeds of the Bonds.
4. This resolution shall be in full force and effect from and after its adoption by the Board.

ADOPTED at a meeting of the Board of Public Works of the City of South Bend, Indiana, held on April 10, 2006, in room 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana.

ADOPTED this 10th day of April, 2006.

BOARD OF PUBLIC WORKS
CITY OF SOUTH BEND, INDIANA

s/Gary A. Gilot, President
s/Carl P. Littrell, Member
s/Donald E. Inks, Member

ATTEST:
s/Angela K. Jacob, Clerk

ADOPT RESOLUTION NO. 18-2006 – DISPOSAL OF CITY OWNED PROPERTY

Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the following Resolution was adopted by the Board of Public Works:

RESOLUTION NO. 18-2006

A RESOLUTION OF THE SOUTH BEND BOARD OF PUBLIC WORKS
ON DISPOSAL OF UNFIT AND/OR OBSOLETE PROPERTY

WHEREAS, it has been determined by the Board of Public Works that the following property is unfit for the purpose for which it was intended and is no longer needed by the City of South Bend:

Approximately 1225 lineal feet of guardrail and posts on the west side of Riverside Drive and the south side of Boland Drive; approximately 100 lineal feet of guardrail and posts on the east side of Riverside Drive at Boland Drive; approximately 54 lineal feet of guardrail and posts on the east side of Riverside Drive at the Pinhook Park entrance; and approximately 100 lineal feet of guardrail and posts on the west side of Riverside Drive at Northview Drive, photos attached

WHEREAS, Indiana Code 5-22-22-1 permits and establishes procedure for disposal of personal property which is unfit for the purpose for which it was intended and which is no longer needed by the City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend that the items listed as an Attachment are no longer needed by the City; are unfit for the purpose for which they were intended and have an estimated value of less than one thousand dollars (\$1,000.00).

BE IT FURTHER RESOLVED, that said items may be transferred or sold at public auction or private sale, without advertising. However, if the property is deemed worthless, such may be demolished or junked.

ADOPTED this 10th day of April, 2006.

BOARD OF PUBLIC WORKS
CITY OF SOUTH BEND, INDIANA

s/Gary A. Gilot, President
s/Carl P. Littrell, Member
s/Donald E. Inks, Member

ATTEST:

s/Angela K. Jacob, Clerk

ADOPT RESOLUTION NO. 19-2006 – DISPOSAL OF CITY OWNED PROPERTY

Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the following Resolution was adopted by the Board of Public Works:

RESOLUTION NO. 19-2006

A RESOLUTION OF THE SOUTH BEND BOARD OF PUBLIC WORKS
ON DISPOSAL OF UNFIT AND/OR OBSOLETE PROPERTY

WHEREAS, it has been determined by the Board of Public Works that the following property is unfit for the purpose for which it was intended and is no longer needed by the City of South Bend:

Wooden Storage Shelves
Three Bay Stainless Steel Sink with Water Heater, Disposal and Available Piping.
Colored Displayed Cubes (Approximately 3' Square)
Miscellaneous Desks, Shelves, Storage Cabinets, Boxes, and Bins
Miscellaneous Loose Piping
Work Tables and Benches
Wooden Wheel
"U" Shaped Reception Desk
Folding Chairs and Storage Cart

Two (2) Hub Caps
Rolling Kitchen Gates
Baby Changing Stations
Cable Winch
Miscellaneous Wood

WHEREAS, Indiana Code 5-22-22-1 permits and establishes procedure for disposal of personal property which is unfit for the purpose for which it was intended and which is no longer needed by the City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend that the items listed as an Attachment are no longer needed by the City; are unfit for the purpose for which they were intended and have an estimated value of less than one thousand dollars (\$1,000.00).

BE IT FURTHER RESOLVED, that said items may be transferred or sold at public auction or private sale, without advertising. However, if the property is deemed worthless, such may be demolished or junked.

ADOPTED this 10th day of April 2006.

BOARD OF PUBLIC WORKS
CITY OF SOUTH BEND, INDIANA

s/Gary A. Gilot, President
s/Carl P. Littrell, Member
s/Donald E. Inks, Member

ATTEST:

s/Angela K. Jacob, Clerk

ADOPT RESOLUTION NO. 20-2006 – ADOPTING A WRITTEN FISCAL PLAN
AND ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN
ANNEXATION AREA IN CLAY TOWNSHIP (JOHN ROY ANNEXATION AREA)

Upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the following Resolution was adopted by the Board of Public Works. Mr. Marco Mariani, Community and Economic Development, was present and stated the annexation meets the requirements of State law. This is a 0.77 acre area near Clover Ridge and Turtle Creek and is zoned residential. It is in District 4 and will be covered by Police Beat 11 and Fire Station No. 3:

RESOLUTION NO. 20-2006

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF
SOUTH BEND, INDIANA ADOPTING A WRITTEN FISCAL PLAN AND
ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN
ANNEXATION AREA IN CLAY TOWNSHIP
(JOHN ROY ANNEXATION AREA)

WHEREAS, there has been submitted to the Common Council of the City of South Bend, Indiana, an Ordinance and a petition by all (100%) property owners which proposes the annexation of real estate located in Clay Township, St. Joseph County, Indiana, which is more particularly described at Page 14 of Exhibit "A" attached hereto; and

WHEREAS, the territory proposed to be annexed encompasses approximately .77 acres of vacant, unimproved land, which property is at least 12.5% contiguous to the current City limits, i.e., approximately 18% contiguous, generally located to the east of Willis Avenue approximately 440' north of Vaness Street. It is anticipated that the annexation area will be developed as a residential subdivision. This residential use will require a basic level of municipal public services of a non-capital improvement nature, including street and road maintenance, street sweeping, flushing, snow removal, and sewage collection, as well as services of a capital improvement nature, including street and road construction, street lighting, a sanitary sewer system, a water distribution

system, and a storm water system and drainage plan; and

WHEREAS, the Board of Public Works now desires to establish and adopt a fiscal plan and establish a definite policy showing: (1) the cost estimates of services of a non-capital nature, including street and road maintenance, street sweeping, flushing, and snow removal, and sewage collection, and other non-capital services normally provided within the corporate boundaries; and services of a capital improvement nature including street and road construction, street lighting, a sanitary sewer extension, a water distribution system, and a storm water system to be furnished to the territory to be annexed (2) the method(s) of financing those services; (3) the plan for the organization and extension of those services; (4) that services of a non-capital nature will be provided to the annexed area within one (1) year after the effective date of the annexation, and that they will be provided in a manner equivalent in standard and scope to similar non-capital services provided to areas within the corporate boundaries of the City of South Bend, regardless of similar topography, patterns of land use, and population density; (5) that services of a capital improvement nature will be provided to the annexed area within three (3) years after the effective date of the annexation within the same manner as those services are provided to areas within the corporate boundaries of the City of South Bend regardless of similar topography, patterns of land use, or population density, and in a manner consistent with federal, state and local laws, procedures, and planning criteria; and (6) the plan for hiring the employees or other governmental entities whose jobs will be eliminated by the proposed annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA, AS FOLLOWS:

Section I. It is in the best interest of the City of South Bend and the area proposed to be annexed that the real property described more particularly at Page 14 of Exhibit "A" attached hereto be annexed to the City of South Bend.

Section II. That it shall be and hereby is now declared and established that it is the policy of the City of South Bend, by and through its Board of Public Works, to furnish to said territory services of a non-capital nature, such as street and road maintenance, street sweeping, flushing, and snow removal, within one (1) year of the effective date of the annexation in a manner equivalent in standard and scope to services furnished by the City to other areas of the City regardless of similar topography, patterns of land utilization, and population density; and to furnish to said territory, services of a capital improvement nature such as street and road construction, a street light system, a sanitary sewer system, a water distribution system, a storm water system and drainage plan, within three (3) years of the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries of the City of South Bend regardless of similar topography, patterns of land use, or population density.

Section III. That the Board of Public Works shall and does hereby now establish and adopt the Fiscal Plan, attached hereto as Exhibit "A", and made a part hereof, for the furnishing of said services to the territory to be annexed, which provides, among other things, that the public sanitary sewer network is available with capacity sufficient to service this area; that street lighting, parking and will be installed at the developer's expense; and that a street drainage plan will be also be planned, provided and paid for by the developer subject to compliance with state and local law.

Section IV. It is recommended that the developer be required to incorporate building design elements for the four units directly adjacent to Willis Avenue that might add interest to the western façade of said units to ensure that private development will enhance and reinforce the City's commitment to development and design of the highest possible quality.

ADOPTED this 10th day of April, 2006.

BOARD OF PUBLIC WORKS
CITY OF SOUTH BEND, INDIANA

s/Gary A. Gilot, President
s/Carl P. Littrell, Member
s/Donald E. Inks, Member

ATTEST:

s/Angela K. Jacob, Clerk

APPROVAL OF STREET CLOSURE

Upon amotion made by Mr. Inks, seconded by Mr. Littrell and carried, the following street closure was approved:

TYPE	SPONSOR	LOCATION	DATE/TIME	COMMENTS
Block Party	Jackson, Benita	Warren Street from Dubail to Indiana	June 11, 2006 – 12:00 pm. to 9:00 p.m.	Favorable Recommendations

APPROVE WASTEWATER DISCHARGE PERMIT

In a Memorandum to the Board, Mr. Manuel Bueno, Pretreatment Coordinator, Division of Environmental Services, submitted the following Wastewater Discharge Permit and recommended approval:

The Sesco Group for remediation works at:
Rensberger Oil Company
1604 Rupel Street
South Bend, Indiana

Upon a motion made by Mr. Inks, seconded by Mr. Littrell and carried, the Wastewater Discharge Permit was approved.

APPROVAL OF UPDATE TO CITY OF SOUTH BEND DESIGN AND CONSTRUCTION STANDARDS – KEY MAP LOCATION

Mr. Gilot advised that an update for the above referred Design and Construction Standards was being presented at this time for approval. This revision removes the wording “S.R. 2” and replaces it with Western Avenue from Mayflower going east towards downtown.” Upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the update to the Design Standards was approved.

APPROVE CONSENT TO ANNEXATION AND WAIVER OF RIGHTS TO REMONSTRATE AND ACKNOWLEDGMENT OF CITY COMPACT FEES

Mr. Gilot stated that the Board is in receipt of a Consent to Annexation and Waiver of Right to remonstrate as submitted by Mr. Cory L. Woods. The Consent indicates that in consideration for permission to tap into the water system of the City, to provide water service to north of Brick Road on the east side of Portage Road, South Bend, Indiana, (Key #04-1007-0096.04), Mr. Woods waives and releases any and all right to remonstrate against or oppose any pending or future annexation of the property by the City of South Bend. Therefore, Mr. Inks made a motion that the Consent be approved. Mr. Littrell seconded the motion, which carried.

APPROVE CONSENT TO ANNEXATION AND WAIVER OF RIGHTS TO REMONSTRATE AND ACKNOWLEDGMENT OF CITY COMPACT FEES

Mr. Gilot stated that the Board is in receipt of a Consent to Annexation and Waiver of Right to remonstrate as submitted by Mr. and Mrs. Joseph Butler. The Consent indicates that in consideration for permission to tap into public sanitary water system of the City, to provide sanitary water service to west of Lily Road on the south side of Darden Road, South Bend, Indiana , (Key #02-110-4947), the Butlers waive and release any and all right to remonstrate against or oppose any pending or future annexation of the property by the City of South Bend. Therefore, Mr. Inks made a motion that the Consent be approved. Mr. Littrell seconded the motion, which carried.

APPROVE TRAFFIC CONTROL DEVICES

Upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the following traffic control devices were approved/denied:

NEW INSTALLATION: **Denied** – Handicapped Reserved Parking Signs
LOCATION: 3214 Salem Drive
REMARKS: Residents Request Denied

REVISION: **Approved** - Speed Limit Change
LOCATION: Cleveland Road from 150' East of Lynewood
Avenue to 500' West of Bendix Drive
REMARKS: Change Unmarked Speed Limit to 30 MPH

REVISION: **Approved** - Speed Limit Change
LOCATION: Cleveland Road from 500' West of Bendix Drive to
Olive Road
REMARKS: Change Speed Limit from 40 MPH to 45 MPH

FILING OF SAFETY REPORTS – DEPARTMENT OF PUBLIC WORKS

The Division of Environmental Services, Street Department, Division of Engineering, Water Works and Equipment Services submitted Safety Reports for March 2006. These reports will reflect injuries/accidents for each month and provide for a comparison. There being no further discussion, upon a motion made by Mr. Gilot, seconded by Mr. Littrell and carried, the reports were accepted and filed.

FILING OF MONTHLY REPORT – ENVIRONMENTAL SERVICES

Mr. Jack Dillon, Director of Environmental Services, submitted a report for the Division of Environmental Services, for the Wastewater Treatment Plant, Organic Resources, Solid Waste and Sewer Repair, for the month of March 2006. There being no further discussion, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the monthly reports were accepted and filed.

FILING OF MONTHLY REPORT – WATER WORKS

Mr. Andy Wierzbicki, Water Works, submitted a report for the Division of Water Works for the month of March 2006. There being no further discussion, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the monthly report was accepted and filed.

FILING OF QUARTERLY CONSTRUCTION REPORT – DIVISION OF ENGINEERING

Mr. Toy Villa, Engineering, submitted a quarterly construction report for the Division of Engineering for the months of January, February and March, 2006. There being no further discussion, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the report was accepted and filed.

FILING OF CERTIFICATES OF INSURANCE

Upon a motion made by Mr. Gilot, seconded by Mr. Littrell, and carried, the following Certificates of Insurance were accepted for filing:

Shekinah Electric, Inc. Elkhart, Indiana	Bracket Construction d/b/a Randy Brackett Lakeville, Indiana
Woodcox Building Contractors, Inc. South Bend, Indiana	

APPROVE CONTRACTOR AND EXCAVATION BONDS

Mr. Anthony Molnar, Engineer, Division of Engineering, recommended that the following Contractor and Excavation Bonds be approved as follows:

BOND OF CONTRACTOR

Laidig Concrete, Inc.	Approved Effective March 23, 2006, Pursuant to Resolution No. 100-2000
Vicente T. Cervantes d/b/a Magic Construction	Approved Effective March 24, 2006, Pursuant to Resolution No. 100-2000

BOND OF EXCAVATION

Laidig Concrete, Inc. and Hoosier
Rock Trucking Excavating, LLC

Approved Effective March 23, 2006,
Pursuant to Resolution No. 100-2000

APPROVE CLAIMS

Mr. Gilot stated that the following claims were submitted to the board for approval:

Name	Amount of Claim	Date
City of South Bend	\$1,194,003.70	April 3, 2006
City of South Bend	\$1,041,979.55	April 10, 2006
Tyco Fire & Security (Police/Fire Bond)	\$2,983.59	March 21, 2006
Tyco Fire & Security (Police/Fire Bond)	\$1,037.90	March 21, 2006
St. Joseph County Housing Consortium	\$20,905.29	March 23, 2006
St. Joseph County Housing Consortium	\$8,347.35	March 30, 2006
St. Joseph County Housing Consortium	\$22,000.00	March 30, 2006
St. Joseph County Housing Consortium	\$5,815.00	March 31, 2006
St. Joseph County Housing Consortium	\$2,801.74	March 23, 2006
St. Joseph County Housing Consortium	\$522.50	March 23, 2006
St. Joseph County Housing Consortium	\$19,564.63	March 23, 2006
St. Joseph County Housing Consortium	\$12,921.76	March 23, 2006
St. Joseph County Housing Consortium	\$982.00	March 24, 2006

ADJOURNMENT

There being no further business to come before the Board, upon a motion made by Mr. Gilot, seconded by Mr. Inks and carried, the meeting adjourned at 10:40 a.m.

BOARD OF PUBLIC WORKS

s/Gary A. Gilot, President
s/Carl P. Littrell, Member
s/Donald E. Inks, Member

ATTEST:
s/Angela K. Jacob, Clerk